



*EMS*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
OFFICE OF THE CLERK  
1300 Victoria, Ste., 1131  
Laredo, Texas 78040

July 2, 2008

United States District Court  
Northern District of Illinois  
219 South Dearborn Street  
Chicago, Illinois 60604

*08cr490*

Re: Shawn Stephen Swearingen  
5:05-CR-1405-001  
Laredo Division

**TRANSFER OF JURISDICTION**

Dear Clerk,

Enclosed for probation transfer are certified copies of the following:

INDICTMENT  
JUDGMENT  
TRANSFER OF JURISDICTION  
FINANCIAL STATEMENT  
DOCKET SHEET

Please complete the receipt below and return the copy of this letter.

**FILED**  
JUL 8 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Very truly yours,

MICHAEL N. MILBY, CLERK

By: *Patricia Galvan*  
Patricia Galvan, Deputy Clerk

Received and filed under Docket No. \_\_\_\_\_ on \_\_\_\_\_, 2007.

CLERK, U. S. DISTRICT COURT, By: \_\_\_\_\_

AO 245B

(Rev. 08/05) United States District Court Criminal Case

United States District Court  
Southern District of Texas

FILED

MAR 07 2006

Michael N. Milby, Clerk  
Laredo Division

## UNITED STATES DISTRICT COURT

Southern District of Texas

Holding Session in Laredo

MAR 08 2006

BM

Michael N. Milby, Clerk  
Laredo Division

UNITED STATES OF AMERICA

V.

SHAWN STEPHEN SWEARINGEN

## JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: 5:05CR01405-001

USM NUMBER: 51017-179

Christina Arrellano-Villarreal, AFD

Defendant's Attorney

☐ See Additional Aliases.

## THE DEFENDANT:

☒ pleaded guilty to count(s) one on December 14, 2005☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. § 1324(a)(1)(B)(i)	Unlawfully transporting a certain undocumented alien within the United States for private financial gain by means of a motor vehicle	06/06/2005	One

☐ See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☒ Count(s) Two ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

March 3, 2006

Date of Imposition of Judgment



Signature of Judge

MICAELA ALVAREZ

UNITED STATES DISTRICT JUDGE

Name and Title of Judge



Date

TRUE COPY I CERTIFY  
ATTEST:

Michael N. Milby, Clerk

By 

Deputy Clerk



MFL/VCH

AO 245B

(Rev. 08/05) Judgment in a Criminal Case  
Sheet 2 -- Imprisonment

Judgment -- Page 2 of 6

DEFENDANT: SHAWN STEPHEN SWEARINGEN  
CASE NUMBER: 5:05CR01405-001**IMPRISONMENT**The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 24 months

The defendant was advised of the right to appeal the sentence, including the right to appeal in forma pauperis, upon proper documentation.

☐ See Additional Imprisonment Terms.☒ The court makes the following recommendations to the Bureau of Prisons:  
That the defendant participate in a comprehensive drug treatment program while incarcerated.☒ The defendant is remanded to the custody of the United States Marshal.☐ The defendant shall surrender to the United States Marshal for this district:☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_  
☐ as notified by the United States Marshal.☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:☐ before 2 p.m. on \_\_\_\_\_  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Office.**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_

DEPUTY UNITED STATES MARSHAL

DEFENDANT: SHAWN STEPHEN SWEARINGEN  
CASE NUMBER: 5:05CR01405-001

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years

☐ See Additional Supervised Release Terms.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. *(for offenses committed on or after September 13, 1994)*

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: SHAWN STEPHEN SWEARINGEN  
CASE NUMBER: 5:05CR01405-001

### **SPECIAL CONDITIONS OF SUPERVISION**

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.

The defendant is required to participate in a mental health program as deemed necessary and approved by the probation officer. The defendant will incur costs associated with such program, based on ability to pay as determined by the probation officer.

The defendant is required to perform 100 hours of community service as approved by the probation officer to be completed within the first year of supervised release.

The defendant is required to participate in a vocational training program as deemed necessary and approved by the probation officer.

AO 245B (Rev. 08/05) Judgment in a Criminal Case  
Sheet 5 -- Criminal Monetary Penalties

Judgment -- Page 5 of 6

DEFENDANT: SHAWN STEPHEN SWEARINGEN  
CASE NUMBER: 5:05CR01405-001

## CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$100		

☐ See Additional Terms for Criminal Monetary Penalties.

☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO 245C)

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

☐ See Additional Restitution Payees.

<b>TOTALS</b>	\$ 0.00	\$ 0.00
---------------	---------	---------

☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B

(Rev. 08/05) Judgment in a Criminal Case  
Sheet 6 -- Schedule of Payments

Judgment -- Page 6 of 6

DEFENDANT: SHAWN STEPHEN SWEARINGEN  
CASE NUMBER: 5:05CR01405-001**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due  
☐ not later than \_\_\_\_\_, or  
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_, to commence \_\_\_\_\_ days after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_, to commence \_\_\_\_\_ days after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:  
 Make all payments payable to: U.S. District Clerk, 1300 Victoria, Ste. 1131, Laredo, TX 78040.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
---	--------------	-----------------------------	--

- ☐ See Additional Defendants and Co-Defendants Held Joint and Several.
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:
- ☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

United States District Court  
Southern District of Texas  
FILED

JUN 21 2005

Michael N. Milby, Clerk  
Laredo Division

UNITED STATES OF AMERICA

v.

SHAWN STEPHEN SWEARINGEN

§  
§  
§  
§  
§  
§

CRIMINAL NO.

**L-05-1405**

**INDICTMENT**

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

On or about June 6, 2005, in the Southern District of Texas and within the jurisdiction of the Court, **Defendant,**

**SHAWN STEPHEN SWEARINGEN,**

knowing and in reckless disregard of the fact that **PEPE FERNANDO CANGAHUALA-FERNANDEZ** was an alien who had come to, entered and remained in the United States in violation of law, did transport and move such alien, for purpose of commercial advantage or private financial gain and in furtherance of such violation of law, within the United States by means of a motor vehicle.

In violation of Title 8, United States Code, Section 1324.

**MA**

TRUE COPY I CERTIFY  
ATTEST:

Michael N. Milby, Clerk

By 

Deputy Clerk



**COUNT TWO**

On or about June 6, 2005, in the Southern District of Texas and within the jurisdiction of the Court, **Defendant,**

**SHAWN STEPHEN SWEARINGEN,**

knowing and in reckless disregard of the fact that **LUIS AUGUSTO MENA-VIZUETE** was an alien who had come to, entered and remained in the United States in violation of law, did transport and move such alien, for purpose of commercial advantage or private financial gain and in furtherance of such violation of law, within the United States by means of a motor vehicle.

In violation of Title 8, United States Code, Section 1324.

A TRUE BILL:

  
FOREMAN OF THE GRAND JURY

CHUCK ROSENBERG  
UNITED STATES ATTORNEY

  
DIANA M. H. SONG  
Special Assistant United States Attorney

PROB 22 (Rev. 8/97)		Docket Number (Tran. Court) 5:05CR01405-001	
TRANSFER OF JURISDICTION United States District Court Southern District of Texas FILED		Docket Number (Rec. Court) 08CR 490	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Shawn Stephen Swearingen		DISTRICT Michael N. Milby, Clerk Southern District of Texas Laredo Division	
DOCKETED JUN 24 2008		DIVISION Laredo JUDGE MANNING MAGISTRATE JUDGE NOLAN	
NAME OF SENTENCING JUDGE Micaela Alvarez		DATES OF PROBATION/SUPERVISED RELEASE: FROM 3/2/2007 TO 3/1/2010	

## OFFENSE

Unlawfully transporting a certain undocumented alien within the United States for private financial gain by means of a motor vehicle, in violation of Title 8 U.S.C. § 1324(a)(1)(B)(i).

## PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS/LAREDO

It is ordered that the jurisdiction of this probationer or supervised releasee be transferred with the records of the Court to the United States District Court for the Northern District of Illinois/Chicago on that Court's acceptance. This Court expressly consents that the period of supervision may be changed by the receiving District Court without approval of this court. See 18 U.S.C. 3605.

May 27, 2008  
Date

[Signature]  
United States District Judge

## PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS/CHICAGO

Jurisdiction over the person supervised is accepted by this Court from the entry of this order.

JUN 19 2008

Effective Date

James F. Holderman  
United States District Judge

A TRUE COPY-ATTEST  
MICHAEL W. DOBBINS, CLERK

FILED

JUN 23 2008

By [Signature]  
DEPUTY CLERK  
U.S. DISTRICT COURT, NORTHERN  
DISTRICT OF ILLINOIS

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

DATE: 6-24-08

TRUE COPY/CERTIFY  
ATTEST:

Michael N. Milby, Clerk

By [Signature]  
Deputy Clerk

CLOSED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Laredo)  
CRIMINAL DOCKET FOR CASE #: 5:05-cr-01405-1  
Internal Use Only**

Case title: USA v. Swearingen  
Magistrate judge case number: 5:05-mj-01504

Date Filed: 06/21/2005  
Date Terminated: 03/03/2006

Assigned to: Judge Micaela  
Alvarez

**Defendant (1)**

**Shawn Stephen Swearingen**  
*TERMINATED: 03/03/2006*

represented by **Federal Public Defender -  
Laredo**

1501 Matamoros Street  
Laredo, TX 78040  
956-753-5313

Fax: INS\_lfpd

Email: lar\_ecf@fd.org

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

*Designation: Public Defender or  
Community Defender  
Appointment*

**Christina Arellano-Villarreal**

Office of the Federal Public  
Defender

1501 Matamoros St  
Laredo, TX 78042

956-753-5313

Fax: 956-753-5317

Email: christina\_arellano-  
villarreal@fd.org

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**TRUE COPY I CERTIFY  
ATTEST:**

**Michael N. Milby, Clerk**

By   
Deputy Clerk

**Pending Counts**

Transporting undocumented  
aliens within the US. Penalty: Not  
more than 5 yrs and/or  
\$250,000.00, \$100 cvf for ea ct., 3  
yrs tsr.  
(1)

**Disposition**

Deft given allocution, AOR  
granted: L15CHC2: 24 mos to  
serve; 3 yrs tsr, usual terms apply;  
\$100 cvf; fine waived;  
drug/alcohol treatment at BOP;  
vocational training; mental health  
program; 100 hrs com/svs w/in 1st  
yr of tsr; advised of right to  
appeal. Pled true to 1,2,3,6,  
Revoked: 4 mos to serve;  
drug/alcohol treatment in/out  
patient; continue under the same  
terms and conditions as  
previously imposed; advised of  
right to appeal

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

Transporting undocumented  
aliens within the US. Penalty: Not  
more than 5 yrs and/or  
\$250,000.00, \$100 cvf for ea ct., 3  
yrs tsr.  
(2)

**Disposition**

Dismissed on govts oral motion

**Highest Offense Level**  
**(Terminated)**

Felony

**Complaints**

8:1324.F - Bringing in and  
Harboring Aliens

**Disposition**

---

**Plaintiff**


USA

represented by **Financial Litigation**  
 U S Attorney's Office  
 P O Box 61129  
 Houston, TX 77208  
 713-567-9000  
 Fax: 713-718-3391 fax  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**US Pretrial Svcs-La**  
 PO Box 1460  
 Laredo, TX 78042-1460  
 956-794-1030 fax  
 Fax: 956-790-1743  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**US Probation - L**  
 1300 Victoria, Ste 2111  
 Laredo, TX 78040  
 956-726-2915 fax  
 Fax: 956-726-2915 fax  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Diana Ming Hsuen Song**  
 US Attys Office  
 P O Box 1179  
 Laredo, TX 78040  
 956-723-6523  
 Fax: 956-726-2266  
 Email: Diana.Song@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/07/2005	 1	COMPLAINT as to Shawn Stephen Swearingen (1), filed. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)

06/07/2005	2	Minute Entry for proceedings held before Judge Marcel C. Notzon: INITIAL APPEARANCE as to Shawn Stephen Swearingen,(Deft informed of rights) held on 6/7/2005. Financial Affidavit executed; Deft requested appt of counsel; FPD apptd. Bond set at \$75,000. Preliminary Examination set for 6/16/2005 at 11:00 AM before Magistrate Judge Marcel C. Notzon. Deft remanded to custody, filed. Appearances: Matt Rinka and Rolando Garza.(Tape #1)(Digital # 10:00 - 11:03 a.m.)(ERO:P. Galvan) (Interpreter:D. Gonzalez) (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	3	(Court only) CJA 23 Financial Affidavit by Shawn Stephen Swearingen, filed.(kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005		Attorney update in case as to Shawn Stephen Swearingen. Attorney Federal Public Defenders - Laredo for Shawn Stephen Swearingen added. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	4	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Federal Public Defenders - Laredo for Shawn Stephen Swearingen. ( Signed by Judge Marcel C. Notzon ). Parties notified. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	5	Affidavit for Material Witness(es) Pepe Fernando Cangahuala-Fernandez and Luis Augusto Mena-Vizuite as to Shawn Stephen Swearingen, filed.(kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	6	Minute Entry for proceedings held before Judge Marcel C. Notzon: INITIAL APPEARANCE OF MATERIAL WITNESS (ES) Pepe Fernando Cangahuala-Fernandez as to Shawn Stephen Swearingen, (Material Witness(es) informed of rights) held on 6/7/2005. Financial Affidavit executed; MW requested appt of counsel; Private atty apptd - George Russell "Rusty" Meurer. Bond set at \$5,000 C/S. MW remanded to custody, filed. Appearances: Matt Rinka.(Tape #1)(Digital # 11:50 a.m. - 12:04 p.m.)(ERO:P. Galvan) (Interpreter:D. Gonzalez) (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	7	(Court only) CJA 23 Financial Affidavit by Material Witness Pepe Fernando Cangahuala-Fernandez as to Shawn Stephen Swearingen, filed.(kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)

06/07/2005	7	Attorney update in case as to Shawn Stephen Swearingen. Attorney George Russell Meurer for Pepe Fernando Cangahuala-Fernandez added. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	8	Minute Entry for proceedings held before Judge Marcel C. Notzon: INITIAL APPEARANCE OF MATERIAL WITNESS (ES) Luis Augusto Mena-Vizuite as to Shawn Stephen Swearingen, (Material Witness(es) informed of rights) held on 6/7/2005. Financial Affidavit executed; MW requested appt of counsel; Private atty apptd - George Russell "Rusty" Meurer. Bond set at \$5,000 C/S. MW remanded to custody, filed. Appearances:Matt Rinka.(Tape #1)(Digital # 11:50 a.m. - 12:04 p.m.)(ERO:P. Galvan) (Interpreter:D. Gonzalez) (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	9	Attorney update in case as to Shawn Stephen Swearingen. Attorney George Russell Meurer for Luis Augusto Mena-Vizuite added. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/07/2005	9	CJA 20 for Material Witness Pepe Fernando Angahuala-Fernandez and Luis Augusto Mena-Vizuite: Appointment of Attorney George Russell Meurer for Pepe Fernando Cangahuala-Fernandez and Luis Augusto Mena-Vizuite as to Shawn Stephen Swearingen ( Signed by Judge Marcel C. Notzon ). Parties notified. (kwallace, ) [5:05-mj-01504] (Entered: 06/10/2005)
06/08/2005	10	WAIVER of Preliminary Examination or Hearing by Shawn Stephen Swearingen, filed.(nortiz, ) [5:05-mj-01504] (Entered: 06/13/2005)
06/21/2005	11	INDICTMENT as to Shawn Stephen Swearingen (1) count(s) 1-2, filed. (bmendoza, ) (Entered: 06/22/2005)
06/22/2005	12	NOTICE OF SETTING as to Shawn Stephen Swearingen. Arraignment set for 6/30/2005 at 08:00 AM in Courtroom 2A before Magistrate Judge Marcel C. Notzon., filed. (bmendoza, ) (Entered: 06/22/2005)
06/27/2005	13	US ATTORNEY'S NOTICE OF APPEARANCE. Diana Ming Hsuen Song appearing for USA, filed.(Song, Diana) (Entered: 06/27/2005)
06/29/2005	13	Defendant's Written Waiver of Arraignment as to Shawn Stephen Swearingen ( Signed by Judge Marcel C. Notzon ). Parties notified. (dgonzalez) (Entered: 07/06/2005)



06/29/2005	14	SCHEDULING ORDER as to Shawn Stephen Swearingen. Pretrial Motion Filing due by 7/11/2005 at 10:00 AM; Responses due by 7/18/2005 at 10:00 AM; Final Pretrial Conference set for 8/17/2005 at 09:00 AM in Courtroom 2B before Magistrate Judge Adriana Arce-Flores; Jury Selection set for 8/19/2005 at 09:00 AM in Courtroom 3B before Judge Micaela Alvarez. Parties notified. (dgonzalez) (Entered: 07/06/2005)
08/12/2005	15	Opposed MOTION to Continue Final Pretrial Conference by Shawn Stephen Swearingen, filed. (Attachments: # 1 Proposed Order # 2 Exhibit # 3 Exhibit)(Arellano-Villarreal, Christina) (Entered: 08/12/2005)
08/15/2005	16	ORDER granting deft 15 Motion to Continue as to Shawn Stephen Swearingen (1).The FPTC is reset for 9/14/05 @ 1:00 p.m.(Signed by Judge Micaela Alvarez.) Parties notified. (bmendoza, ) (Entered: 08/15/2005)
08/15/2005		Set/Reset Hearings as to Shawn Stephen Swearingen: Final Pretrial Conference set for 9/14/2005 at 01:00 PM in Courtroom 3B before Judge Micaela Alvarez. (bmendoza, ) (Entered: 08/15/2005)
08/17/2005	17	Minute Entry for proceedings held before Judge Adriana Arce-Flores :DOCKET CALL Re-Arraignment as to Shawn Stephen Swearingen held on 8/17/2005 Court granted Psychiatric evaluation, Continued Sept. 14, 2005 @ 1:00 p.m. before A.A.F. Appearances:Diana Song f/gvt,AFPD Christina Villarreal f/dft (ERO:Sara Medellin) Deft remanded to custody , filed. (bmendoza, ) (Entered: 08/19/2005)
08/17/2005		Set/Reset Hearings as to Shawn Stephen Swearingen: Re-Arraignment set for 9/14/2005 at 01:00 PM in Courtroom 3B before Judge Micaela Alvarez. (bmendoza, ) (Entered: 08/19/2005)
08/19/2005	18	MOTION to Transport to Psychiatric Evaluation by Shawn Stephen Swearingen, filed. (Attachments: # 1 Proposed Order) (Arellano-Villarreal, Christina) (Entered: 08/19/2005)
08/22/2005	19	ORDER granting deft 18 Motion for ORDER Directing the US Marshal to Cause deft to Appear for an Examination as to Shawn Stephen Swearingen (1).(Signed by Judge George P. Kazen.) Parties notified.(bmendoza, ) (Entered: 08/23/2005)
09/14/2005	20	Minute Entry for proceedings held before Judge Adriana Arce-



		Flores :DOCKET CALL for FPTC as to Shawn Stephen Swearingen held on 9/14/2005 , Deft pending psychiatric evaluation. Continued for Wed, 10/12/05 @ 1:00 p.m. before Judge Arce Flores, Appearances:Diana Song f/gvt, AFD Christina Villarreal f/dft(ERO:Sara Medellin) (Interpreter:Fred Kowalsi) Deft remanded to custody , filed.(bmendoza, ) (Entered: 09/18/2005)
09/14/2005	●	Set/Reset Hearings as to Shawn Stephen Swearingen: Final Pretrial Conference set for 10/19/2005 at 01:00 PM in Courtroom 2B before Magistrate Judge Adriana Arce-Flores. (bmendoza, ) (Entered: 09/18/2005)
10/12/2005	● 21	Minute Entry for proceedings held before Judge Adriana Arce-Flores :DOCKET CALL -OFF THE RECORD as to Shawn Stephen Swearingen held on 10/12/2005. Psychiatric Evaluation Pending; . Pretrial Conference reset for 11/9/2005 at 01:00 PM in Courtroom 2B before Magistrate Judge Adriana Arce-Flores. Appearances:Diana Song f/govt; Christina Villarreal f/deft. , filed.(mmarquez) (Entered: 10/19/2005)
11/08/2005	●	Minute Entry for proceedings held before Judge Adriana Arce-Flores: DOCKET CALL for Rearraignment as to Shawn Stephen Swearingen not held on 11/8/2005. Psychiatric Evaluation pending. Case reset for 12/14/05 at 1:00 PM. Appearances: Rob Jones f/Gvt; FPD Christina Villarreal f/dft; US Probation - L, Sergio Garza. (ERO: Sara Medellin) ( dflores ) (Entered: 11/08/2005)
11/08/2005	●	Reset Hearing as to Shawn Stephen Swearingen: Pretrial Conference reset for 12/14/2005 at 01:00 PM in Courtroom 2B before Magistrate Judge Adriana Arce-Flores. ( dflores ) (Entered: 11/08/2005)
12/14/2005	● 22	Minute Entry for proceedings held before Judge Adriana Arce-Flores :RE-ARRAIGNMENT held on 12/14/2005. Shawn Stephen Swearingen (1) Guilty Count 1. Written plea accepted. Appearances:Matt Rinka f/govt; Christina Villarreal f/deft. USPO: Lucy Garza; USM: Bill Uhler.(ERO:Sara Medellin) (Interpreter:Not used) Deft remanded to custody , filed. (mmarquez) (Entered: 12/14/2005)
12/14/2005	● 23	Consent to Administration of Guilty Plea and Fed.R.Crim.P. 11 Allocation by United States Magistrate Judge by Shawn Stephen Swearingen, filed.(bmendoza, ) (Entered: 12/14/2005)

12/14/2005	24	PLEA AGREEMENT as to Shawn Stephen Swearingen , filed. (bmendoza, ) (Entered: 12/14/2005)
12/14/2005	25	ORDER for Presentence Investigation and Disclosure & Sentencing Dates as to Shawn Stephen Swearingen. PSI Completion due by 1/18/2006. Sentencing set for 3/1/2006 at 09:00 AM in Courtroom 3B before Judge Micaela Alvarez. Parties notified. (bmendoza, ) (Entered: 12/14/2005)
12/14/2005	26	REPORT AND RECOMMENDATIONS as to Shawn Stephen Swearingen ( Signed by Judge Adriana Arce-Flores ). Parties notified. (bmendoza, ) (Entered: 12/16/2005)
01/31/2006	28	NOTICE OF SETTING as to Shawn Stephen Swearingen. Sentencing reset for 3/7/2006 at 09:00 AM in Courtroom 3B before Judge Micaela Alvarez., filed.(bmendoza, ) (Entered: 02/03/2006)
02/02/2006	27	ORDER to Disburse Bond in the amount of \$5,000.00 to Depositor: Jose Tellez as to (M/W) Fernando "Pepe" Cangahuala-Fernandez in the case of Shawn Stephen Swearingen. ( Signed by Judge George P. Kazen ). Parties notified. (bmendoza, ) (Entered: 02/02/2006)
02/08/2006		LETTER as to Shawn Stephen Swearingen re: PSI with an original disclosure date of 1/18/06 is now complete. The new disclosure date is 2/8/2006. Counsel shall communicate in writing any objections to the PSR Report within 14 days or by 2/22/2006. , filed. (bmendoza, ) (Entered: 02/09/2006)
02/17/2006	29	FINAL PRESENTENCE INVESTIGATION REPORT (Sealed) as to Shawn Stephen Swearingen, W/O Objections, filed. (bmendoza, ) (Entered: 02/22/2006)
02/17/2006	30	CONFIDENTIAL SENTENCING RECOMMENDATION (Sealed) regarding Shawn Stephen Swearingen, filed. (bmendoza, ) (Entered: 02/22/2006)
03/03/2006		Minute Entry for proceedings held before Judge Micaela Alvarez :Sentencing held on 3/3/2006 for Shawn Stephen Swearingen (1), Count(s) 1, Deft given allocution, AOR granted: L15CHC2: 24 mos to serve; 3 yrs tsr, usual terms apply; \$100 cvf; fine waived; drug/alcohol treatment at BOP; vocational training; mental health program; 100 hrs com/svs w/in 1st yr of tsr; advised of right to appeal; Count(s) 2, Dismissed on govts oral motion. Appearances:Rob Johnson f/Govt, FPD Christina

		Villarreal f/Deft, J Mejia f/USM, Veronica Cuellar f/USPO-L. (Court Reporter: Leticia Gomez[9:45-10:00]) (Interpreter:Derek Sully, not used) Deft remanded to custody , filed.(atreveno, ) (Entered: 03/03/2006)
03/03/2006		(Court only) ***Case Terminated as to Shawn Stephen Swearingen, ***Terminated defendant, pending deadlines, and motions. (atreveno) (Entered: 03/03/2006)
03/03/2006	31	NOTICE OF NON-APPEAL by Shawn Stephen Swearingen , filed.(mmarquez) (Entered: 03/06/2006)
03/07/2006	32	JUDGMENT as to Shawn Stephen Swearingen (The Statement of Reasons has been placed under seal in the envelope with the Original Presentence Report. Copies of the SOR have been sent to the defendant's attorney, the AUSA, and the US Marshal) ( Signed by Judge Micaela Alvarez ). Parties notified. (bmendoza, ) (Entered: 03/08/2006)
03/07/2006	33	STATEMENT OF REASONS (Sealed) as to Shawn Stephen Swearingen , filed. (bmendoza, ) (Entered: 03/08/2006)
08/18/2006	34	(Court only) CJA 20 as to Shawn Stephen Swearingen: Authorization to Pay George Russell Meurer Amount: \$162.20, Voucher # 060818000034 ( Signed by Judge Micaela Alvarez ). Parties notified. (nortiz) (Entered: 08/18/2006)
09/12/2007	35	(Court only) PROBATION FORM 12C Petition for Warrant for Offender Under Supervision as to Shawn Stephen Swearingen. Court Orders the issuance of a warrant and no bond. ( Signed by Judge Micaela Alvarez ) Parties notified. (dgonzalez) (Entered: 09/13/2007)
09/13/2007		(Court only) ARREST Warrant Issued as to Shawn Stephen Swearingen ( Issued by Judge Micaela Alvarez ), filed. (dgonzalez) (Entered: 09/13/2007)
09/14/2007	36	Receipt of 35 Probation form 12C signed by U.S. Marshals as to Shawn Stephen Swearingen, filed. (pgalvan, ) (Entered: 09/14/2007)
10/15/2007	37	MOTION for Writ of Habeas Corpus ad prosequendum for Shawn Stephen Swearingen by USA as to Shawn Stephen Swearingen, filed. (Attachments: # 1)(Song, Diana) (Entered: 10/15/2007)
10/18/2007	38	ORDER granting Gvts 37 Application for Writ of Habeas Corpus

		ad prosequendum as to Shawn Stephen Swearingen (1). ( Signed by Judge Micaela Alvarez ). Parties notified. ( dflores ) (Entered: 10/22/2007)
10/19/2007	39	Writ of Habeas Corpus ad Prosequendum Issued as to Shawn Stephen Swearingen. ( Signed by Judge Micaela Alvarez ), filed. ( dflores ) (Entered: 10/22/2007)
10/19/2007	40	Receipt of 38 Order signed by US Marshals as to Shawn Stephen Swearingen, filed. ( dflores ) (Entered: 10/22/2007)
10/23/2007	42	(Court only) Arrest Warrant issued 09/13/07 Returned Executed on 10/22/07 in case as to Shawn Stephen Swearingen, filed. (pgalvan, ) (Entered: 10/26/2007)
10/23/2007	43	Minute Entry for proceedings held before Judge Adriana Arce-Flores : Initial Appearance re Revocation of Probation Violation as to Shawn Stephen Swearingen held on 10/23/2007 Deft. requests apptd. counsel, Added attorney Federal Public Defender. No bond set; financial affidavit executed. Final Revocation hearing to be set before Judge Micaela Alvarez. Appearances:Robert Ramirez, AUSA; Orlando Montemayor PTSO; USM Mel Sanchez; Federal Public Defender.(ERO:Sara Medellin) (Interpreter:Zeph Pease III (not used)) Deft remanded to custody, filed.(pgalvan, ) (Entered: 10/26/2007)
10/23/2007	44	Financial Affidavit - CJA 23 by Shawn Stephen Swearingen (See General Order 2004-11), filed.(pgalvan, ) (Entered: 10/26/2007)
10/23/2007	45	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Federal Public Defender for Shawn Stephen Swearingen. ( Signed by Judge Adriana Arce-Flores ) Parties notified. (pgalvan, ) (Entered: 10/26/2007)
10/24/2007	41	Rule 5(c)(3) Documents Received from Northern Indiana, Hammond as to Shawn Stephen Swearingen, filed. Received copy of commitment to another district, waiver of rule 40 hearings, criminal docket sheet, and letter transferring case. (pgalvan, ) (Entered: 10/26/2007)
10/25/2007	46	Writ of Habeas Corpus ad Prosequendum as to Shawn Stephen Swearingen Returned Unexecuted. Returning unexecuted due to subject arrived on the airlift on a warrant of removal from arresting district., filed. (pgalvan, ) (Entered: 10/29/2007)
10/30/2007	47	NOTICE OF SETTING as to Shawn Stephen Swearingen.Final Hearing re Revocation of Supervised Release set for 11/6/2007 at

		09:00 AM in Courtroom 3B before Judge Micaela Alvarez, filed. (atrevino) (Entered: 10/30/2007)
11/06/2007	●	Minute Entry for proceedings held before Judge Micaela Alvarez : Final Hearing, re: Revocation of Supervised Release held on 11/6/2007 for Shawn Stephen Swearingen (1), Count(s) 1, Pled true to 1,2,3,6, Revoked: 4 mos to serve; drug/alcohol treatment in/out patient; continue under the same terms and conditions as previously imposed; advised of right to appeal. Appearances:Brigida Pirra f/Govt, FPD John Paul f/Deft, DSillas f/USM, NEstrada f/USPO-L.(Court Reporter: Leticia Gomez [9:24-9:58]) (Interpreter:not used) Deft remanded to custody, filed.(atrevino) (Entered: 11/06/2007)
11/06/2007	● 48	STATEMENT OF NON-APPEAL by Shawn Stephen Swearingen,filed.(Paul, John) (Entered: 11/06/2007)
11/06/2007	● 49	JUDGMENT FOR REVOCATION as to Shawn Stephen Swearingen (1) Count 1 ( Signed by Judge Micaela Alvarez ) Parties notified. (pgalvan, ) (Entered: 11/07/2007)
05/27/2008	● 50	PROBATION FORM 12A Report on Offender Under Supervision No Court Action Requested as to Shawn Stephen Swearingen Court concurs with recommended action. (See Probation form 12a) (Signed by Judge Micaela Alvarez) Parties notified. (pgalvan, ) (Entered: 05/28/2008)
06/30/2008	● 51	Probation Jurisdiction Transferred to Northern District of Illinois, Chicago Division as to Shawn Stephen Swearingen., filed. Mailed certified copies of Indictment, Judgment, Transfer of Jurisdiction, financial statement and docket sheet. (pgalvan, ) (Entered: 07/02/2008)